

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department - Telangana State - Adilabad District - Issue of Local Scheduled Tribe Agency Area Certificates - Cancellation of Local Scheduled Tribe Agency Area Certificate by the Collector & District Magistrate, Adilabad District vide Progds.No.C3/6255/2011-1, dated 18.04.2012 - Appeal filed by Sri Jadhav Mohan S/o Heeraman R/o Rajulguda H/o Mankapoorn village of Narnoor Mandal, Adilabad District - Appeal Allowed - Orders - Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 51

Dated: 05-10-2023.
Read the following:-

1. Procgs.No.C3/6255/2011-1, dated 18.04.2012,O/o. the Collector & District Magistrate, Adilabad District.
2. Appeal petition filed by Sri Jadhav Mohan S/o Heeraman R/o Rajulguda H/o Mankapoorn village of Narnoor Mandal, Adilabad District, dated 26.08.2023.
3. Govt. Memo.No.992/TW.LTR/2023-1, dated 02.09.2023.
4. Govt. Notice No.992/TW.LTR/2023, dated 02.09.2023.

ORDER:-

In the reference 1st read above, the Collector & District Magistrate, Adilabad District has cancelled the Local ST Certificate bearing No. B/1973/2006, dated 30.8.2006 issued by the Mandal Revenue Officer, Narnoor in favour of the appellant Sri Jadhav Mohan, S/o.Heeraman, R/o.Rajulguda, H/o.Mankapoorn, Narnoor Mandal Adilabad District and declared that the appellant does not belong Agency Area for the following reasons:

- Sri Jadhav Mohan S/o Heeraman had attended before the Committee on 25.11.2011 and submitted copies of Pahani for the year 1969-70, Voter List for the years 1965, 1971 and 1977 in support of his claim which are not satisfactory and in spite of giving opportunities, he failed to prove that his family has been residing in agency area continuously from 26.1.1950.
 - Tahsildar, Narnoor who enquired into the matter reported vide his letter No.B/2859/2011, dated 31.10.2011 that the Local ST Certificate issued to the candidate bearing No.B/1973/2006, dated 30.8.2006 is not genuine.
 - The study team which visited the village and enquired into the claim of the individual reported that the local Scheduled Tribe Candidate Certificate was issued by the Tahsildar, Narnoor basing on the Community, Nativity and Date of Birth Certificate issued to him on 21.11.2011 and Voters list of Mankapur village for the year 1965 duly obtaining an Affidavit. These documents did not support claim of the candidate that he or his parents have been continuously living in agency area since 26.01.1950 as defined in GO Ms.No.3, dated 10.01.2000.
 - The enquiry into local ST status of the candidate was taken up in accordance with the procedure prescribed under the Act 16 of 1993 and its Rules, 1997 related to Issuance and Cancellation of Community, Nativity and Date of Birth Certificates to the SCs, STs and BCs.
2. Aggrieved by the above cancellation orders of the Collector & District Magistrate, Adilabad, in the reference 2nd read above, the Appellant Sri Jadhav Mohan S/o Heeraman R/o Rajulguda H/o Mankapoorn village of Narnoor Mandal, Adilabad District has filed the present Appeal before the Government under G.O.Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 urging the following contentions:

- i) He has been provisionally selected to the post of Language Pandit Grade-I (Telugu) in the Special DSC 2011 conducted by ITDA Uttoor, Adilabad District vide Application No.111523 under Agency Area Local ST candidature category.

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- ii) During verification of genuineness of Agency Area Local ST status of the candidate, the District Collector, Adilabad had declared him as not local ST of the agency area of Adilabad District without considering his pleas and evidences and cancelled his Local ST certificate.
- iii) He belongs to poor ST Lambada community and hails from Agency Area in Adilabad District right from his forefathers even prior to 1950 and deprived of appointment to the post of Language Pandit Grade-I (Telugu) due to cancellation of his Local ST certificate without proper enquiry.
- iv) In support of his claim that he is the local Scheduled Tribe of Mankapoore agency village in Adilabad District, submitted the following documentary evidences:
 - a) Copies of certificates of educational qualifications right from Ist class to M.A. (Telugu) Post Graduation, B.Ed. and TET qualification held in July, 2011 vide Hall Ticket No.319198202067.
 - b) Community and Date of Birth Certificate issued by Tahsildar, Narnoor certifying that he belongs to Lambadis-28 (ST) community and resident of Mankapur village in Narnoor Mandal of Adilabad District. Date of Birth is 7.7.1987.
 - c) Certificate of Proof of Local Scheduled Tribe Candidate issued by Mandal Revenue Officer, Narnoor bearing No.B/1973/2006, dated 30.08.2006 – wherein it was certified that he belongs to Lambada Scheduled Tribe and have been residing in Rajulaguda H/o Mankapur village in Narnoor Mandal of Adilabad which falls in the scheduled area since 1950.
- d) Family Tree

Jadhav Devla is great grandfather. He has four sons namely
1) Rupla2) Gulab 3) Takru (grandfather) and 4) Kishan.
Jadhav Takru is grandfather. He has only one son namely Jadhav Heeraman i.e. his father and he has three sons namely 1)Naresh 2) Mohan (appellant) and 3) Gajanand.
- e) Aadhar Card bearing No.7133 1807 5290 issued to the appellant by UIDAI wherein his residential address was recorded as Rajulaguda, Mankapur village, Narnoor Mandal, Adilabad District.
- f) Aadhard Card bearing No.8421 4965 8131 issued to his mother Jadhav Gangabai W/o Heeraman wherein their residential address was recorded as H.No.1-39/1, Mankapur, Rajulaguda, Narnoor Mandal, Adilabad District.
- g) Aadhar Card No.2813 7870 2539 issued to his father Sri Jadhav Heeraman S/o.Takru showing residence as H.No.1-39/1, Mankapur, Rajulaguda, Narnoor Mandal, Adilabad District.
- h) Aadhar Card No.3396 2344 1049 issued to his grandmother Smt.Jadhav Girijabai W/o Takru showing her residence as H.No.1-39/1, Mankapur, Rajulaguda, Narnoor Mandal, Adilabad District.
- i) Election Photo Identity Card bearing No.AP/35/241/135346, dated 15.12.1995 - issued by Electoral Registration Officer, Boath (ST) Assembly Constituency – to his father Jadav Hiraman showing residential address as H.No.2-35, Mankapur village.
- j) Household Card issued by Tahsildar, Narnoor showing residential address as H.No.1-39/1, Rajulaguda, Mankapur village, Narnoor Mandal, Adilabad District.

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- k) Rajeev Arogyasree Card Health Card No.WAP190600200179 to Sri Jadav Heeraman and 5 family members showing their residential address as Rajulaguda, Mankapur village, Narnoor Mandal.
- m) Voter list of 1965 – Revenue Division: Asifabad, Taluq: Utnoor, Firka: Dhaba, village: Mankapur – wherein names of his grandfather Takru and grandmother Girijabai were recorded at Sl.Nos.138 and 139.
- n) Voter list 1971 - 237 Boath Assembly Constituency – Part No.243 (Block No.1) – names of his grandparents Thakru S/o Devla and Smt Girijabai W/o Thakru were recorded at Sl.Nos.190 and 191 under H.No.1-122/1.
- o) Voter list 1977 – Boath Assembly Constituency – Block No.1 – Mankapur village – Taluq: Utnoor - names of his grandparents' viz., JadhavThakru S/o Devla and Girijabai W/o Thakru were recorded at Sl.Nos.196 and 197 under H.No.1-122/1.
- p) Voter list 1995 – Boath (ST) Assembly Constituency – Mankapur village - show names of his parents Jadhav Heeraman S/o Takru, Jadhav Gangabai W/o Heeraman andgrand mother Jadhav Girijabai W/o Takru at Sl.Nos.358, 359, 360.
- q) Rajulaguda PESA Gram Sabha Resolution dated 5.7.2023 wherein it was resolved that the family of Jadhav Thakru S/o Devla have been residing in Rajulaguda village of Mankapur Gram Panchayat since 1948.
- r) Mankapur GP Resolution dated 5.7.2023 – wherein it was resolved that the family of Jadhav Thakru S/o Devla has been continuously living in Rajulaguda village since 1948.

3. In the appeal petition, the Appellant has prayed to ALLOW his Appeal treating him as Local Scheduled Tribe of Mankapur agency village in Narnoor Mandal of Adilabad District and treat his Local ST certificate bearing No.B/1973/2006, dated 30.8.2006 as GENUINE.

4. In the reference 3rd read above, Government have admitted the above Appeal petition under G.O.Ms.No.24, dated 12.06.2018 and requested the District Collector, Adilabad District, the Project Officer, ITDA, Utnoor, Adilabad District and Tahsildar Narnoor Mandal Adilabad District to submit connected case records documents pertaining to the case along with para-wise remarks.

5. In the reference 4th read above, Notice was issued to the Appellant to attend for hearing on 14.09.2023 at 3.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Sri Jadhav Mohan S/o Heeraman has attended and submitted certain copies of documents.

6. Findings

- The Appellant Sri Jadhav Mohan S/o Heeraman has produced documentary evidences only from the year 1965 as he does not have any other evidences like Land documents etc. as prescribed in GO Ms.No.24, dated 12.6.2018. Therefore, he has prayed the Government to consider the PESA Gram Sabha and Gram Panchayat Resolutions.
- Government in GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 has ordered that the existing guidelines already issued by the Commissioner (TW) in Circular Memo.Rc.No. 231/2014/TRI/VC-8, dated 25.2.2015 shall continue as mentioned at para 3 (ii) of the G.O.24 which reads as follows:
"3(ii) Circular Memo.Rc.No.231/2014/TRI/VC-8, dated 25.2.2015:

- a) Birth and Death Register since 26.1.1950.

- b) Electoral Roll since 26.1.1950.
- c) Sale Deed documents for agriculture since 26.1.1950.
- d) School record.
- e) Any other acceptable document as evidence.

- Therefore, in the absence of documents at (a) to (d) except Voter list from 1965, the Resolutions of the PESA Gram Sabha, Rajulaguda constituted under the Panchayat Extension to Scheduled Areas (PESA) Act, 1996 (Central Act No.40 of 1996) vide Proceedings Rc.No.312/2019/TRI/PESA, dated 25.03.2019 of the Commissioner of Tribal Welfare, Telangana State, Hyderabad and the Resolution of the Gram Panchayat, Mankapur have been taken into consideration in the genuinity of the Local ST certificate.

7. Government after careful examination of the matter and documentary evidences submitted by the Appellant and in view of the above findings, hereby allow the appeal filed by the Appellant Sri Jadhav Mohan S/o Heeraman R/o Rajulguda H/o Mankapoorn village of Naroor Mandal, Adilabad District; treating him as Local Scheduled Tribe of Mankapur agency village in Naroor Mandal of Adilabad District and his Local ST Certificate bearing No.B/1973/2006, dated 30.8.2006 is treated as GENUINE duly setting aside proceedings of the Collector & District Magistrate, Adilabad in Procgs.No.C3/6255/2011-1, dated 18.04.2012.

8. The Collector and District Magistrate, Adilabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr.CHRISTINA Z.CHONGTHU,
SECRETARY TO GOVERNMENT.

To

The Collector and District Magistrate, Adilabad District (By RPAD)
Sri Jadhav Mohan, S/o.Heeraman,
R/o.Rajulguda, H/o.Mankapoorn Village and Post, Naroor Mandal,
Adilabad District -504311 (By RPAD)

Copy to:-

The Commissioner Tribal Welfare, Telangana State, Hyderabad.
The Project Officer, ITDA, Uttoor, Adilabad District
The Deputy Director(TW), Adilabad District.
The District Educational Officer, Adilabad District.
The Tahsildar,Naroor Mandal, Adilabad District.
The P.S. to Hon'ble Minister for ST Welfare.
The PA to Secretary (TW).
The PA to Special Secretary (TW).

Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER.